

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FAYETTEVILLE DIVISION

KEVIN EUGENE BARRON

PLAINTIFF

v.

Civil No. 05-5187

JAKE FRANKLIN, Detective,
Springdale Police Department;
ERIC HOLLAND, Detective,
Springdale Police Department;
KEN WHILLOCK, Special Agent;
TRACY SPENCER, Arkansas
State Police ; CRAIG McKEE,
Detective, Springdale Police
Department; and SANE JENTZSCH,
Fourth Judicial Drug Task Force

DEFENDANTS

ORDER

Plaintiff's complaint was filed in this case on November 21, 2005. Before the undersigned is the issue of whether the complaint should be served. In order to assist the court in making such determination, it is necessary that plaintiff provide additional information with respect to his claims.

Accordingly, it is ordered that plaintiff, Kevin Barron, complete and sign the attached addendum to his complaint, and return the same to the court by **January 13, 2006**. Plaintiff is advised that should he fail to return the completed and executed addendum by January 13, 2006, his complaint may be dismissed without prejudice for failure to prosecute and/or for failure to obey an order of the court.

IT IS SO ORDERED this 13th day of December 2005.

/s/ Beverly Stites Jones
UNITED STATES MAGISTRATE JUDGE

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ADDENDUM TO COMPLAINT

TO: KEVIN BARRON

This form is sent to you so that you may assist the court in making a determination as to the issue of whether your complaint should be served upon the defendants. Accordingly, it is required that you fill out this form and send it back to the court **by January 13, 2006**. Failure to do so will result in the dismissal of your complaint.

The response must be legibly handwritten or typewritten, and all questions must be answered completely in the proper space provided on this form. If you need additional space, you may attach additional sheets of paper to this addendum.

RESPONSE

In your complaint, you allege that the Springdale Police Department sold items at a police auction that were not supposed to be sold. You indicate the items had been confiscated and should have been turned over to your Mother, Joyce Ann Barron, as part of a plea bargain.

1. You are currently in the Washington County Detention Center (WCDC). How long have you been incarcerated? In answering please provide the court with exact dates if you can.

Answer:

2. Why are you incarcerated? Are you serving a sentence, or waiting trial on criminal charges, or has your probation, parole, or supervised release been revoked?

Answer:

3. You indicate certain items were confiscated from you and sold at police auction. Please state: (a) what items were confiscated; (b) whether the items were confiscated pursuant to a search warrant; (c) if the items were not confiscated pursuant to a search warrant, please state why the items were confiscated; (d) the date the items were confiscated; (e) whether you were arrested at the same time; (f) if you were arrested, please state what you were charged with; and (g) when the items were sold.

Answer:

4. You mention a plea bargain with Leann Housing. Please state: (a) who Leann Housing is; (b) what the plea agreement was; (c) whether the plea agreement was in writing; (d) whether you went before a judge when you entered your plea; (e) what judge took your plea; (f) when you entered your plea; (g) what sentence you received; (h) whether you have asked the court to allow you to withdraw the plea; (i) whether your plea or conviction has been withdrawn, set aside, reversed, or otherwise held to be invalid.

Answer:

5. You indicate your Mother received certain items pursuant to the plea bargain. Please state what items were returned to your Mother.

Answer:

6. You have named Jake Franklin as a defendant. However, you have not described any actions taken by him. Please describe in detail how you believe he violated your federal constitutional rights.

7. You have named Eric Holland as a defendant. However, you have not described any actions taken by him. Please describe in detail how you believe he violated your federal constitutional rights.

8. You have named Ken Whillock as a defendant. However, you have not described any actions taken by him. You indicate he is a special agent. Please state: (a) what agency he works for; and (b) describe in detail how you believe he violated your federal constitutional rights.

9. You have named Tracy Spencer as a defendant. However, you have not described any actions taken by him. Please describe in detail how you believe he violated your federal constitutional rights.

10. You have named Craig Mckee as a defendant. However, you have not described any actions taken by him. Please describe in detail how you believe he violated your federal constitutional rights.

11. You have named Sane Jentzsch as a defendant. However, you have not described any actions taken by him. Please state: (a) what agency he works for; and (b) describe in detail how you believe he violated your federal constitutional rights.

I CERTIFY THAT THE INFORMATION CONTAINED HEREIN IS COVERED BY
THE VERIFICATION MADE BY ME ON MY INITIAL COMPLAINT.

KEVIN EUGENE BARRON

DATE